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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION

No. E. 2525—Edn. 86-25-48, dated 16th February 1934.

In exercise of the powers conferred by Section 23 of the Mysore Ancient Monuments' Preservation Regulation, IX of 1925, and all other powers in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules:—

1. As soon as the notification declaring a monument as protected is confirmed by Government, the Deputy Commissioner shall cause a notice board to be fixed in a conspicuous place in front of the monument, warning people that the monument is a protected one, that any person who destroys, removes, injures, alters, defaces, imperils the monument without proper authority, shall be punishable with a fine which may extend to Rs. 5,000 or with imprisonment which may extend to three months or with both.

2. The agreement to be entered into between the owner of a protected monument and the Deputy Commissioner under Section 5 shall ordinarily be in one of the forms given in Appendix I. But it is open to the authorities to add any additional conditions that may be deemed necessary in the circumstances of each case.

3. (*a*) Admission to *bona-fide* visitors to ancient monuments maintained by Government shall be free but subject to the following conditions :—

(1) Visitors are forbidden access to those portions of a monument where works in renovation are in progress or to pluck flowers, etc. or to walk on the lawns;

(2) No firearms may be discharged within the premises of such a monument;

(3) All music or unseemly or unpleasantly noisy behaviour is prohibited; provided however that in the case of Muzrai Institutions in which regular worship takes place, music (including Indian band) will be permitted as heretofore subject to such conditions as may be prescribed by the Deputy Commissioner in each case;

(4) Spitting or committing any kind of nuisance within the premises of a monument is strictly prohibited;

(5) Taking of dogs and riding of cycles inside the premises of a monument are forbidden;

(6) The cooking of meals in the buildings or compound thereof is prohibited, provided however, that, in the case of Muzrai Institutions in which regular worship takes place, the cooking of meals for Naivedya, Santarpana, etc., will be permitted as heretofore subject to such safeguards as may be prescribed by the Deputy Commissioner in each case.

(7) Without the express permission of the Director of Archæological Researches in Mysore, no photographs shall be taken of any portion of the monument in any size larger than card size $4\frac{1}{4}'' \times 3\frac{1}{4}''$;

(8) Visitors are not allowed to enter any protected monument before 7 A.M., or after 10 P.M.

(*b*) In the case of monuments which are used as places of worship, the above sub-rules under (*a*) will be modified according to established custom or usage.

(*c*) Any breach of the above rules will render the offender liable to punishment with a fine which may extend to Rs. 20.

4. No antiquities or objects of interest located in or forming part of any protected monument shall be moved by any person except with the written permission of the Deputy Commissioner.

5. Before granting or refusing permission, the Deputy Commissioner should consult the Director of

Archæological Researches whose opinion shall ordinarily prevail.

6. Except by the Archæological Department or by any Agency authorised by that Department, no excavation or blasting shall be permitted within the limits of any local area in which an ancient monument is located, the boundaries of which are from time to time fixed by Government by a notification in the Official Gazette, except under a license and subject to such conditions as may be laid down by the licensing authority.

7. The license referred to in Rule 6 will be issued by the Deputy Commissioner of the District in consultation with the Director of Archæological Researches.

8. The Deputy Commissioner shall in particular lay down such restrictions in the license as would be necessary for the fullest safety of the monument, respecting the muffling of sound, the kind and charge of blasting materials and the depth and the number of blast-holes to be fixed at a time.

9. The application for license should be presented to the Deputy Commissioner at least a month in advance of the date on which the excavation or blasting is intended to be commenced and the permission should, in no case be anticipated.

10. Any person committing a breach of rules (4, 6 and 9) shall be punishable with fine which may extend to two hundred rupees (Rs. 200).

By Order,
H. V. RAMASVAMI,
General Secretary to Government.

APPENDIX I.

FORM OF AGREEMENT UNDER SECTION 5 OF THE ANCIENT MONUMENTS PRESERVATION REGULATION (IX OF 1925).

A.

(For cases in which the Trustees undertake to execute at their cost all ordinary repairs to the Monument.)

THIS AGREEMENT executed on the.....day of 193.....between.....trustee of .....

.....of..... .....village,..... .....Taluk,.....District, (hereinafter called the 'Trustee' which expression where the context admits shall be deemed to include the survivor of him or other trustee for the time being of the said..... and his successors in office) of the one part and the Government of His Highness the Maharaja of Mysore (hereinafter called 'The Government of Mysore') of the other part.

Whereas under Section 3 of the Ancient Monuments' Preservation Regulation, IX of 1925, the..... specifically described in the schedule annexed hereto, and hereinafter referred to as "the protected monument" heretofore in the possession and management of the trustee abovenamed on behalf of the.....has been declared by the Government of Mysore to be a protected monument under the said Regulation.

And whereas with a view to preserve the protected monument in its present condition, the Deputy Commissioner of..... .....with the previous sanction of the Government of Mysore conveyed in Goverument Order No..... ....., dated..... .....proposed to the said trustee that he should enter into an agreement with the said Government of Mysore for the preservation of the protected monument and the said trustees has accepted the proposal.

And whereas the terms of the said agreement so proposed and accepted are embodied in these presents.

And whereas these presents by Government Order No..... .....,dated....., have been approved by the Government of Mysore.

Now these presents witness that it is hereby mutually agreed by the trustee and the Government of Mysore as follows :—

(1) The trustee shall maintain the said protected monument in proper condition and repair and shall abide by and carry out the orders of the Government of Mysore and the Deputy Commissioner of.....for the time being as to the manner in which the same is to be preserved and as to the repairs and all other measures that may be deemed necessary from time to time for that purpose.

(2) The trustee shall have the.....under his control and make necessary arrangements for watching the same. The trustee shall not either himself or through others destroy, remove, alter or deface the protected monument and in particular in addition and without prejudice to the foregoing conditions the trustee shall not construct or allow or give permission to others to construct huts or other buildings on the site in front of or near walls or other partition in or near the protected monument.

(3) The trustee and his successors in office shall not allow the protected monument to be used by any person for residential purposes.

(4) The trustee shall allow all facilities for access to the protected monument to the officers and servants of the Archæological Department and also such facilities for access to the protected monument to other officers of Government, and to the public or any portion thereof at such times and in such manner as the Deputy Commissioner of.....for the time being may in writing require.

(5) The trustee shall not sell or allow to be sold the site of the protected monument and so a distance of 100 feet on four sides of it.

(6) The Government of Mysore shall pay all expenses which may be incurred in connection with the preservation and repair of the protected monument at the request of or under the orders of the Deputy Commissioner..... for the time being. But ordinary repairs to the ..... periodical or otherwise shall be done at the expense of the trustee, after approval by the Deputy Commissioner.

(7) Subject in all respects to the foregoing conditions the trustee may with the approval of the Deputy Commissioner conduct in the.....such religious ceremonies as will not involve the exclusion of persons not belonging to the community to which the protected monument may belong or be connected with.

In witness whereof the said..... ..and the Deputy Commissioner of.....on behalf of the Government of Mysore have hereunto set their respective hands the day and year first above written.

The schedule above referred to.

Name of the District, Taluk and village	Description wet or dry, with survey or paimash number	Name of the owner	Boundaries				Extent
			North	East	South	West	
1	2	3	4	5	6	7	8

FORM OF AGREEMENT UNDER SECTION 5 OF THE ANCIENT MONUMENTS' PRESERVATION REGULATION. (IX OF 1925).

B.

(For cases in which the repairs are executed at the expense of Government.)

THIS AGREEMENT made on the..... .....day of ....193 , between the trustees for the time being of the..... .....village.....in the Taluk of the..... District (hereinafter referred to as the "Trustees" which expression, where the context admits shall be deemed to include the survivors of them or other trustees or trustee for the time being of the said.....their and his assigns) of the one part and the Government of His Highness the Maharaja of Mysore (hereinafter referred to as "the Government of Mysore") of the other part.

WHEREAS under Section 3 of the Ancient Monuments' Preservation Regulation (IX of 1925), the.....specifically described in the schedule annexed hereto and hereinafter referred to as "the protected monument" has been declared by the Government of Mysore to be a protected monument under the said Regulation.

AND WHEREAS with a view to preserve the protected monument in its present condition the Deputy Commissioner of .....with the previous sanction of the Government of Mysore conveyed in Government Order No....., dated .....proposed to the trustees that they should enter into an agreement with the said Government of Mysore for the preservation of the protected monument and the said trustees have accepted the proposal.

AND WHEREAS the terms of the said agreement so proposed and accepted are embodied in these presents.

AND WHEREAS these presents by Government Order No..... .. .., dated.....have been approved by the Government of Mysore.

NOW THESE PRESENTS WITNESS that it is hereby mutually agreed by the trustees and the said Government of Mysore as follows:—

(1) That the said Government of Mysore shall have the right to maintain the protected monument in proper condition and repair and to take any measures necessary for that purpose.

(2) That the protected monument shall be under the immediate control of the trustees.

(3) (*a*) That the trustees shall not, either themselves or through their agents or lessees or tenants, destroy, remove, alter or deface the protected monument or any part thereof.

(*b*) And in particular, in addition and without prejudice to the foregoing conditions that the trustees shall not, without the previous consent in writing of the Deputy Commissioner of the District, construct or give permission to construct huts or other buildings on the site within the walls of the protected monument, and shall not, without such consent cultivate the said site or any part thereof.

(4) That the trustees shall render such facilities to the public or any portion of the public to have access to the protected monument and at such times and in such manner as the Deputy Commissioner of.....for the time being shall appoint.

(5) That the trustees shall render all facilities of access to the protected monument to the Archæological Department and such other persons deputed by the Deputy Commissioner of.....: .....for the time being to inspect or maintain the protected monument.

(6) That the said Government of Mysore shall pay all expenses which may be incurred in connection with the preservation and repair of the protected monument.

(7) That in respect of the whole or any part of such expenses the said Government of Mysore shall have a charge on the protected monument and on the sale-proceeds thereof in case of its sale to be realised only when the trustees effect a sale.

(8) That before offering the protected monument for sale either by public auction or private treaty, the trustees shall give to the Government of Mysore, six months' previous notice in writing of their intention to do so.

(9) That the said Government of Mysore shall have the right to purchase the protected monument or such part, of it as the said Government of Mysore shall deem fit at its market value.

IN WITNESS WHEREOF the said.....and the Deputy Commissioner of .... on behalf of the Government of Mysore, have hereunto set their respective hands.

The schedule above referred to.

Name of the District, Taluk and village	Description: wet or dry, with survey or paimash number	Name of the owner	Boundaries				Extent
			North	East	South	West	
1	2	3	4	5	6	7	8

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